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**Attorney for Plaintiffs, DAVID J. LEE and  
DANIEL R. LLOYD**

**UNITED STATES DISTRICT COURT**

**FOR THE NORTHERN DISTRICT OF CALIFORNIA**

**DAVID J. LEE, and DANIEL R. LLOYD,  
as individuals and, on behalf of others  
similarly situated,** } Case No.: C-07-4765 CRB

## **Plaintiffs,**

vs.

**AMERICAN EXPRESS TRAVEL  
RELATED SERVICES, INC., a New York  
corporation, AMERICAN EXPRESS  
CENTURION BANK, a Utah corporation,  
AMERICAN EXPRESS BANK, FSB, a  
Utah corporation, and DOES 1, through  
100, inclusive,**

#### **Defendants.**

**OPPOSITION OF PLAINTIFFS  
TO DEFENDANTS AMERICAN  
EXPRESS TRAVEL RELATED  
SERVICES COMPANY INC. AND  
AMERICAN EXPRESS  
CENTURION BANK'S MOTION  
TO DISMISS THE PLAINTIFFS'  
COMPLAINT**

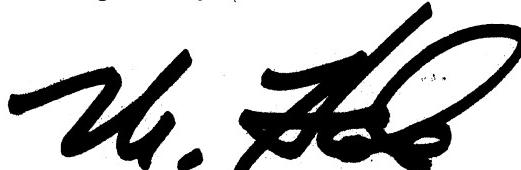
**DATE:** November 30, 2007  
**TIME:** 10.00 a.m.  
**PLACE:** Courtroom 8  
19<sup>th</sup> Floor  
450 Golden Gate Ave.  
San Francisco, Calif. 94102

1 Plaintiffs, by their undersigned attorney, hereby oppose the Defendants' Motion to  
2 Dismiss Plaintiffs' Complaint on the bases that: (a) Plaintiffs have standing to maintain the  
3 action and its various causes of action; (2) Plaintiffs' claims concerning their charge, credit, gift,  
4 and dining cards fall within the coverage of the Consumer Legal Remedies Act (Cal. Civil Code  
5 §§ 1750 et seq.; (3) the Complaint meets the specificity requirements of Fed.R.Civ.P. 9(b); and  
6 (4) Plaintiff Daniel Lloyd's causes of action are not barred by the relevant statute of limitations.  
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8 The Court is respectfully referred to the accompanying memorandum of points and  
9 authorities in support of this Opposition.  
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11 Dated: November 9, 2007

12 Respectfully submitted,



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15 Matthew S. Hale  
16 Attorney for Plaintiffs  
17 David J. Lee and Daniel R. Lloyd  
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